

National Aeronautics and Space Administration



**Headquarters**

Office of Communications  
MS5L9, 300 E Street, SW  
Washington, DC 20546-0001

June 24, 2019

Daniel Oberhaus  
MuckRock News  
Dept MR 73553  
411A Highland Ave  
Somerville, MA 02144-2516  
Via E-mail: 73553-36629085@requests.muckrock.com

REF: 19-HQ-F-00544

Dear Mr. Oberhaus,

Thank you for your interest in NASA. This is the final response to your Freedom of Information Act (FOIA) request received by the NASA HQ FOIA Office on May 21, 2019. Your request was assigned FOIA Case Number 19- HQ-F-00544, and was for:

Records relating to the FY 2020 budget for the planned 2024 crewed mission to the lunar surface, also referred as Artemis. In particular any and all electronic communications, including attachments, related to the FY 2020 budget request sent to and from NASA's Administrator, Jim Bridenstine; dated between January 1, 2019 and present, and NOT published on any NASA website.

In response to your request, a search of NASA's Office of the Administrator (OOA) and the Office of the Chief Financial Officer (OCFO) was conducted using the search term Artemis, budget 2020, and mission to lunar surface. These offices explained that the 2020 budget, which includes the Artemis mission, is still being developed internally. Therefore, any information that may exist on this subject at this time is pre-decisional and deliberative, and protected under FOIA Exemption 5, 5 U.S.C. § 552(b)(5).

Exemption 5 protects "inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency." Courts have interpreted Exemption 5 to incorporate three primary privileges: the attorney work-product privilege, the attorney-client privilege and the deliberative process privilege. NASA invokes the deliberative privilege process for information related to its 2020 budget assumption and/or proposals.

### **Appeal Rights**

You have the right to appeal my action on your FOIA request. Your appeal must be received within 90 calendar days of the date of this letter. Your appeal must be in writing and addressed to:

Administrator  
ATTN: FOIA Appeals  
NASA Headquarters  
Executive Secretariat  
MS 9R17  
Washington, DC 20546

Both the envelope and letter of appeal should be clearly marked "Appeal under the Freedom of Information Act." You must also include copies of your initial request, this correspondence, and any other correspondence with the FOIA office. In order to expedite the appellate process and ensure full consideration of your appeal, your appeal should also contain a brief statement of the reasons you believe this initial determination should be reversed.

### **Assistance and Dispute Resolution Services**

For further assistance and to discuss any aspect of your request, you may contact NASA's Chief FOIA Public Liaison, Stephanie Fox, via telephone at 202-358-1553 or via e-mail at [Stephanie.K.Fox@NASA.gov](mailto:Stephanie.K.Fox@NASA.gov). You may also send correspondence to Ms. Fox at the following address:

National Aeronautics and Space Administration (NASA)  
Freedom of Information Act Unit  
NASA Headquarters  
Attn: Stephanie Fox  
Chief FOIA Public Liaison  
300 E Street, S.W., 5P32  
Washington D.C. 20546  
(Fax) 202- 358-4332

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services it offers. The contact information for OGIS is as follows:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road-OGIS  
College Park, Maryland 20740-6001  
Email: [ogis@nara.gov](mailto:ogis@nara.gov)  
Telephone: (202) 741-5770  
Toll free: 1-877-684-6448

Fax: (202) 741-5769

**Important:** Please note that contacting any agency official including the undersigned, NASA's Chief FOIA Public Liaison, and/or OGIS is not an alternative to filing an administrative appeal and does not stop the 90 day appeal clock.

If applicable, further issues concerning processing of your request will be addressed in a separate letter. If I can be of further assistance, please contact me at 202-358-0680 or [HQ-FOIA@nasa.gov](mailto:HQ-FOIA@nasa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. Nyirenda', with a stylized flourish extending to the right.

MIREYA P. NYIRENDA  
FOIA Public Liaison Officer